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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 3, 2000

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

v.

CASE NO. PUE980334

SANVILLE UTILITIES CORP.,  
Defendant

ORDER

On March 1, 2000, the Staff of the State Corporation Commission ("Staff") filed a Motion to Compel ("Motion") in the above-captioned case. In its Motion, the Staff seeks to compel Mr. Richard M. Anthony, owner and president of Sanville Utilities Corp. ("Sanville" or "the Company")<sup>1</sup> to deliver to the Commission and/or the Henry County Public Service Authority ("PSA") all the books, records, and any documents of whatever form pertaining to the business of Sanville.

In support of its Motion, the Staff states that the Commission's October 1, 1999, Final Order in this case required Mr. Anthony to deliver these materials to the PSA as Receiver

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<sup>1</sup> The corporate status of Sanville Utilities Corp. was automatically terminated on November 2, 1998, for failure of the Company to file its annual report and pay its annual registration fee as required by law. Because of the termination of corporate status by operation of law, the properties and affairs of Sanville, as of November 2, 1998, passed to its directors, Richard and Cora Anthony, as trustees in liquidation. See § 13.1-752 of the Code of Virginia.

for Sanville. The Staff also states that it subpoenaed these documents in December 1999, but Mr. Anthony has never delivered them. The Staff requests that the Commission compel Mr. Anthony to deliver the books, records, and other documents to the Commission and that, if Mr. Anthony refuses to comply, the Commission fine Mr. Anthony up to \$1000 per day for failure to obey a Commission order.

NOW, UPON consideration, we find that we should allow Mr. Anthony time to respond to the allegations contained in the Staff's Motion. Accordingly,

IT IS ORDERED THAT:

(1) On or before March 17, 2000, Mr. Anthony may file a response to the allegations contained within the Staff's March 1, 2000, Motion to Compel. Such a response shall be filed with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(2) This matter is continued generally.